9.3.3 WASTE LOCATION

The objective of the waste location requirement is to ensure that the tanks and containers storing ignitable, reactive, or incompatible wastes are located within an adequate buffer zone.

KEY QUESTIONS

Does the facility meet the 50-foot setback requirement, and if not, has the facility obtained written approval for the location of its waste from the local fire district?

REQUIRED OUTPUTS

APPLICABLE REGULATIONS AND STATUTES

The regulations specifically require that containers holding ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility's property line.

State Laws and Regulations:

Cal. H&S Code

Article 8.5	Hazardous Waste Testing Laboratories
Section 25198	Required use of a California certified laboratory

Title 22, Cal. Code of Regs.

Sections	
66270.14(b)(2)	Required chemical and physical analysis of hazardous waste to be handled at the facility
66264.13(a)	Required detailed chemical and physical analysis of representative sample of waste
66264.13(b)	Required written waste analysis plan which describes procedures to achieve compliance with 66264.13(a)
66264.13(b)(1)	Required description of parameters for which <u>each</u> hazardous waste will be analyzed
(b)(2)	Required list of test methods for each above parameter
(b)(3)	Required sampling methods
Chapter 11	Identification and Listing of Hazardous Waste
Appendix I	Representative Sampling Methods
Appendix II	Waste Extraction Test (WET) Procedures
Appendix III	Chemical Analysis Test Methods

Federal Laws and Regulations:

Other Laws and Regulations:

Buffer zone requirements for tanks storing or treating ignitable, reactive waste in covered tanks are contained in Table 2-1 through 2-6 of the National Fire Protection Association's (NFPA's) Flammable and Combustible Liquids Code.

POLICIES

DTSC Policies:

Several sampling and analysis methods have been developed by the American Society for Testing and Materials (ASTM) and by U.S. EPA ("Test Methods for Evaluating Solid Waste" [SW-846]). These documents are continually updated to provide additional or improved test methods. Sometimes, however, it may be appropriate to employ a special sampling or test method that has not been approved by U.S. EPA. If such a method is proposed in the waste analysis plan, approval must be received by DTSC's Hazardous Materials Laboratory (HML) and/or by U.S. EPA. It is the permit writer's responsibility to ensure that proposed unusual or non-approved methods are reviewed and approved by HML.

The list of waste constituents listed by U.S. EPA and DTSC is not identical for the toxicity characteristic. Under the current situation, a facility would have to first determine if the waste is a RCRA toxic waste using the TCLP test. If the waste does not meet this criterion, then the facility must proceed to analyze the waste using WET or a total concentration criterion to determine if the waste is a California (non-RCRA) hazardous waste [see 22 CCR 66261.24(a)(2)]. DTSC recommends the use of the WET test for inorganic constituent leaching and the use of the TCLP for organic constituent leaching (also retain the total threshold limit concentration).

Often a small facility may not be able to meet the 50-foot buffer requirement or the NFPA standard. A variance may be granted to this requirement only if the facility obtains written approval from the local fire district. The permit should contain a condition that the fire district's written approval must be maintained and, if revoked, would cause the facility to seek a permit modification.

EPA Policies:

Other Policies:

INSTRUCTIONS TO APPLICANTS

Handouts to be Given to Applicants:

Examples to be Given to Applicants:

Appendix B of the Waste Analysis Plans Guidance Manual contains examples of a waste analysis plan for storage and treatment facilities.

CEQA CONSIDERATIONS

The location of the storage containers or tanks could potentially be a major environmental issue, particularly if the facility is located near population centers or other environmentally sensitive areas. See Chapters 8.0, CEQA and 9.2, Facility Location.

PUBLIC PARTICIPATION CONSIDERATIONS

The location of storage containers or tanks could be a major public participation issue particularly if there are homes, schools, or other incompatible activities nearby. The issue could also be compounded if these conditions exist: there are a large number of hazardous waste facilities centered in

one area (i.e., city, section of town, etc.), and the area is economically depressed or in an ethnic minority neighborhood. Issues such as environmental inequity could arise.

LEGAL CONSIDERATIONS

INTERAGENCY AGREEMENTS & MOUs

COORDINATION WITH OTHERS

The permit writer should check with the local fire department to determine if a recent inspection has been performed at the facility. If not, the fire department should be requested to inspect the facility. Any violations should be corrected prior to permit issuance.

Other DTSC Units:

Environmental/Legislative/Industry Groups:

Other Agencies:

For a complicated waste analysis plan, the permit writer should request assistance from HML or other DTSC staff in reviewing the plan.

Special Requests:

STEP-BY-STEP PROCEDURES

Flow Charts:

Checklists:

TECHNICAL REFERENCES

Waste Analysis Plans Guidance Manual (October 1984); Office of Solid Waste, Document No. EPA 530-SW-84-012.

Design and Development of a Hazardous Waste Reactivity Testing Protocol, February 1984; Office of Solid Waste, Document No. EPA 600-2-84-057.

A Method for Determining the Compatibility of Hazardous Wastes (April 1980); H.K. Hatayama et al., California Department of Health Services.

Test Methods for Evaluating Solid Waste, Third Edition SW-846; Office of Solid Waste, Document No. OSW 0000846.

EXAMPLES OF COMPLETED WORK PRODUCTS

TIMELINE AND PLANNING

Permit Processing Chart:

Workload Standards:

Statutory & Other Deadlines:
WP File Name: 2/CH0933_P.MAN

WP File Name for Checklist: 5/CK0933_P.MAN

List of Examples:

List of Appendices:

List of References:

Waste Analysis Plans Guidance Manual (October 1984); Office of Solid Waste, Document No. EPA 530-SW-84-012.

Design and Development of a Hazardous Waste Reactivity Testing Protocol, February 1984; Office of Solid Waste, Document No. EPA 600-2-84-057.

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